

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Andrew Gonzales, Associate Planner
DATE: March 11, 2009
SUBJECT: **ENTITLEMENT PLAN AMENDMENT NO. 2009-002 (SAINTS SIMON AND JUDE OUTDOOR CHURCH SERVICES – AMENDMENT TO TEMPORARY USE PERMIT NO. 2008-003)**
LOCATION: 20444 Magnolia Street, 92646 (northeast corner of Magnolia Street and Indianapolis Avenue)

Applicant: Christina Sumpter, Saints Simon and Jude, 20444 Magnolia Street, Huntington Beach, CA 92646

Property Owner: Roman Catholic Bishop of Orange, 20444 Magnolia Street, Huntington Beach, CA 92646

Request: To permit a six-month extension to an existing Temporary Use Permit to allow for outdoor church services within a tent (March 14, 2009 through September 9, 2009).

Environmental Status: This request is covered by Categorical Exemption, Section 15311, Class 11, California Environmental Quality Act.

Zone: RL (Residential Low Density)

General Plan: P (RL) (School, Hospital, Church – Underlying Designation Residential Low Density)

Existing Use: Church

RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15304 of the CEQA Guidelines, because the project consists of a minor temporary use of land having negligible or no permanent effects on the environment.

SUGGESTED FINDINGS FOR APPROVAL – ENTITLEMENT PLAN AMENDMENT NO. 2009-002:

1. Entitlement Plan Amendment No. 2009-002 to permit a six-month extension to an existing Temporary Use Permit to allow for outdoor church services within a tent from March 14, 2009 through September 9, 2009 will be operated in a manner consistent with the policies of the General Plan and the provisions of Chapter 241. The use is temporary in nature, compatible with surrounding uses, and consistent with the following Land Uses Policies:

Objective – LU 9.4: Provide for the inclusion of recreational, institutional, religious, educational and service uses that support resident needs within residential neighborhoods.

Policy – 9.4.1: Accommodate the development of religious facilities and similar community-serving uses in all residential areas, provided that they are compatible with adjacent residential uses and subject to review and approval by the City and other appropriate agencies.

Policy 13.1.2: Allow for the continuation of existing and development of new religious facilities in any land uses zone where they are compatible with adjacent uses and subject to the City review and approval.

Saints Simon and Jude Church are in the process of expanding their existing church building. The church expansion has resulted in several delays which is the basis for the requested six month extension of time. The proposed outdoor church services will allow the church to continue regular worship services until construction activity is completed. The temporary uses, as conditioned, will not operate concurrently with existing church services or operations. The proposed services will not remove or require additional onsite parking.

2. Approval of the request to amend Temporary Use Permit No. 2008-003 to extend outdoor church services within a tent for an additional six months from March 14, 2009 through September 9, 2009 will not be detrimental to property or improvement in the surrounding area or to the public health, safety or general welfare. Church services will operate in a similar manner prior to the church expansion with exception of mass services provided within the outdoor tent during construction. As conditioned, potential adverse impacts associated with noise will be mitigated through the incorporation of sound walls which are located adjacent to the tent walls closest to residences. Furthermore the project will direct entrances/exits and the stage away from the adjoining residences so as not to impact adjacent residential uses.

SUGGESTED CONDITIONS OF APPROVAL - ENTITLEMENT PLAN AMENDMENT NO. 2009-002:

1. The site plan, floor plans, and elevations received and dated January 28, 2009 shall be the conceptually approved design.
2. The use shall comply with the following:
 - a. The north and east opening of the tent shall be closed at all times.

- b. One electronic piano and cantor shall be allowed. All other amplified on non-amplified music is prohibited. The aforementioned items shall not be directed towards any housing area.
 - c. Portable or theatrical lighting sets shall be positioned and aimed so that they do not shine towards or blind on-coming street traffic or adjoining residences.
 - d. The outdoor church services shall not operate concurrently with any another onsite church services.
 - e. The outdoor church services shall operate for an additional six month period from March 14, 2009 through September 9, 2009 or until the issuance of Certificate of Occupancy for the primary church building, whichever comes first.
 - f. Within seven calendar days from the date of issuance of the Certificate of Occupancy for the primary church building, the tent shall be removed from the project site.
3. The Planning Director ensures that all conditions of approval herein are complied with. The Planning Director shall be notified in writing of any changes to the operations of the church services. Any requested modification or extension related to the approved dates is subject to the approval of the Planning Director. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the Huntington Beach Zoning and Subdivision Ordinance.
4. Only the uses described in the narrative dated April 17, 2008 shall be permitted.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.